

# **INFORMATION SHEET**

## **DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS**

**DISTRICT OFFICE:** Saint Paul District

**FILE NUMBER:** MVP-2005-756-TJF

**PROJECT MANAGER:** Tim Fell

**PROJECT REVIEW/DETERMINATION COMPLETED:** In the office? Y ☒ N ☐

**Date:** February 10, 2005

At the project site? Y ☐ N ☐

**Date:**

### **PROJECT LOCATION INFORMATION:**

State: **Minnesota**

County: **Anoka**

Center coordinates of site by latitude & longitude: **N1/2 Section 23, T33N, R25W**

Approximate size of site/property (including uplands) in acres: **80 acres**

Name of waterway or watershed: **Rum River**

Type of Aquatic Resource <sup>1</sup> :	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Ft	Unknown
Lake									
River									
Stream									
Mudflat									
Sandflat									
Wetlands	<b>X</b>								
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (identify type)									

<sup>1</sup>Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors <sup>1</sup>	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					<b>X</b>
Is or would be used as habitat by other migratory birds that cross state lines?					<b>X</b>
Is or would be used as habitat for endangered species?				<b>X</b>	
Is used to irrigate crops sold in interstate commerce?					<b>X</b>

<sup>1</sup>Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

**TYPE OF DETERMINATION:** Preliminary ☐ Or Approved: ☒

**FILE NUMBER: MVP- 2005-756-TJF**

**ADDITIONAL INFORMATION SUPPORTING njd** (e.g., paragraph 1 site conditions; paragraphs 2-3 rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 site information on waters of the U.S. occurring onsite): **The project involves creating 15 residential lots on an 80-acre parcel. Preliminary plans indicate that construction of one of the roadways would involve encroachment into 4 separate basins (total fill about 11,800 square feet). The basins appear to be Type 1/2 basins within existing crop fields or small scattered woodlands. There is no indication of any streams, creeks, ditches or other surface water connections from these basins to other tributary waters. There is no indication that these basins contain any unique characteristics that would make an interstate commercial connection.**